

**Notice of Allowability**

Application No.

10/600,389

Applicant(s)

PILAURI ET AL.

Examiner

Art Unit

Michele K. Joice, Ph.D.

1636

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

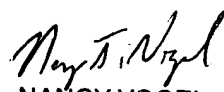
1. ☒ This communication is responsive to 11/14/06.
2. ☒ The allowed claim(s) is/are 1-5, 7, 9-19 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20070129.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
NANCY VOGEL  
PRIMARY EXAMINER

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Noonan, Ph.D. on January 29, 2007.

#### IN THE SPECIFICATION:

In paragraph 118 on page 60, beginning at line 21:

[0118] pGP82 (Gal80-FprI) is made up of nucleotide sequences encoding a GAL80, 2 HA tags, and FPR1 on a pRS416 (Sikorski and Hieter, 1989, Genetics 122: 19-27) backbone. GAL80 sequence was obtained from yeast genomic clones using polymerase chain reaction, and having the sequence disclosed at, <http://genome-www4.stanford.edu/cgi-bin/SGD/locus.pl?locus=gal80> genome-www4.stanford.edu/cgi-bin/SGD/locus.pl?locus=gal80. HA was derived from oligonucleotides GANG33/34. FPR1 was the ClaI digested PCR product generated by using yeast genomic DNA as template and GANG117/118 as primers, pGP130 (Myr-Hom3) contains an ADH2 promoter, CFP sequence, and HOM3 sequence on a pRS424 (Sikorski and Hieter, 1989, Genetics 122: 19-27) backbone. The ADH2 promoter was the PCR product using yeast genomic DNA as template and GANG83/84 as primers. CFP was the PCR product using pDH3 as template (Yeast Resource Center, University of Washington)

Art Unit: 1636

and GANG101/112 as primers. HOM3 was a PCR product using yeast genomic DNA as template and GANG125/126 as amplification primers, pGP139 (Myr-CnaI) contains an ADH2 promoter, CFP sequence, and CNA1 sequence. An ADH2 promoter was obtained as a PCR product using yeast genomic DNA as template and GANG83/84 as primers. CFP was obtained as a PCR product using pDH3 as template (Yeast Resource Center, University of Washington) and GANG101/112 as primers. CNA1 was obtained from a PCR product using yeast genomic DNA as the template and GANG141/142 as primers.

IN THE CLAIMS:

Cancel claims 6 and 8.

Claim 9. (Currently amended) The method of ~~claim 8~~ claim 1, wherein the second protein is a transcriptional activator protein or one of a multiplicity of proteins that participate in protein-protein interactions to bring about transcriptional activation.

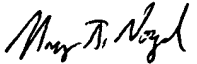
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michele K. Joiike, Ph.D. whose telephone number is 571-272-5915. The examiner can normally be reached on M-F, 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel, Ph.D. can be reached on 571-272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michele K Joike, Ph.D.  
Examiner  
Art Unit 1636

  
NANCY VOGEL  
PRIMARY EXAMINER